

**UNDERSTANDING THE ‘RIGHT TO THE CITY’ FROM LOCAL’S
PERSPECTIVE: FORCED EVICTIONS, RESETTLEMENT PROCESS
AND CITIZEN PARTICIPATION IN DELHI SLUMS**

Jeetesh Rai

Assistant Professor, KiroriMal College, Department of Geography,
University of Delhi, Delhi

ABSTRACT

India is urbanizing at a pace faster than ever. The ever increasing population in the Indian cities and the consequent increase in demands for supply of basic services like housing, water, sanitation, health, education etc. pose enormous challenges to the urban local governance institutions. The existing capacities and resources of most urban local governance institutions are over stretched. The situation is exacerbated due to lack of governance reforms leading to enormous deficits in the transparency, accountability and citizen participation- the hallmarks of any democratic governance institutions. The engagement of civil society organizing (CSO) is pivotal in making the urban local governance institutions transparent, accountable, and responsive participatory. However, the capacities of CSOs to engage and hold the urban local governance institutions are also limited. The present study focuses on the role of citizenship participation in urban governance and understanding how local communities see their ‘rights to the city’ with particular case study of Delhi’s resettled colonies.

Keywords: Citizens participation, urban governance, the Right to the City, Delhi’s resettlement colonies

1. INTRODUCTION

People’s participation brings the value to the concept of citizenship and governance. Urban Democracy is all about the people’s participation where people elect their local bodies and local institutions are in turn responsible to the urban citizens. Urban bodies are responsible for maintaining the city both in terms of Social and economic aspects. The nexus of local bodies and urban citizens is key for the proper functioning of cities. In participatory democracy citizens have a say in the policies that in turn affect them, their livelihoods and the ecosystem they live in.

While elucidating about citizen's participation in development programmes, John Gaventa (2006) gave four different meanings of the term participation. First is 'participation from below', which dates back to late 1960s and early 1970s, during which the use of terms like 'popular participation' and 'participatory development' in the development literatures was on rise. The concept of 'people's knowledge' gained widespread popularity through Paulo Freire's 'Pedagogy of the Oppressed', he explained that process of development is not a 'gift' received from external domain, but actually an exercise of transition gained through critical reflection and action by the people themselves. Second type of participation that emerged during the 1990s, when terms like beneficiaries and excluded were replaced with more neutral terms like stakeholders in the development, as a result of the mainstreaming of participation in large scale development programs. The third point is participation as beneficiaries and consumers of development projects', which emerged in the early 1980s, with the rapid growth of development actors, who viewed participation as an approach to be used in project delivery. This could be seen in sectoral programmes such as waters, health, irrigation, forestry etc. where participation took the form of user's committees, thus providing space for citizen participation in various projects.

Participation as exercising the rights of citizenship emerged as a dominant trend towards the end of 1990s, where it began to be viewed as a 'right of citizens' rather than as an opportunities given to consumers (McIlwaine,1998). This idea of participation as a right brings in a more political notion of participation of citizens, who actually bear both rights and responsibilities. It is here that the concept of participation began to enter the governance arena and started getting linked with participatory development, participatory democracy and participatory governance agendas (Taylor,2004).

One of the strongest notion that argues for the active citizen participation is that it results in good governance and better democracy (Carr et al.,2008). When citizens are involved with the local institutions, it results in better environment benefiting the larger population. This engagement results in bringing a healthy democracy with citizenship that is active, participatory and a government that is responsible and accountable in many ways more efficient than the traditional forms of representative democracy (Mohan and Stokke,2000).

2. CITIZEN'S PARTICIPATION IN URBAN GOVERNANCE

In a highly globalized and urbanized world cities are emerging as the focal points for all of economic, social and political activities and governance of these cities began playing greater role in the agendas for many governments, both developed and developing nations. The urban centers experienced a great demographic transition with almost 65 per cent of population growth across the growth since the starting of the 21st Century. Of all the regions Asia will undergo massive changes, Delhi and Shanghai have already joined the domain of 'mega cities' and by 2020 it is

projected that Beijing, Dhaka and Mumbai- will also reach the 20 million mark in population concentration (UN HABITAT, 2012). With the growth being at such pace and magnitude the equi-distribution of limited resources, provision of civic amenities to all, meeting housing demands and most importantly 'Social exclusion' should be tackled and all this has to be done in an inclusive manner. Thus, looming urban challenges present a draconian task in front of the urban authorities demanding the need for sustainable, inclusive and meaningful policies along with proper citizenry participation at the same time.

When compared both the domains of rural and urban areas the set of challenges and ground realities are totally different. People's participation and their engagement with the local institutions is way forward in cities and towns. Whereas a glance at the grassroots level reveal that it is more exclusion and lesser inclusion of citizenry in policy making (Mahadevia, 2008). Marginalized, especially the socially lower rungs of the society are the most vulnerable and excluded by the authorities and they are yet to be even more excluded in the times of looming challenges (MacLeod G. and Godwin, M., 1999). Thus the absence of the role of citizens in the local urban governance displays the absence of participatory governance on one hand, and the resultant negativity the citizens develop toward the governance and the system on the other hand. Through the case of India, it is clear that although policies are created properly and they appear better on the paper they are actually and they are not implemented in letter and spirit.

The urban local bodies in themselves, which have been entrusted with the task of managing towns and cities, are not adequately equipped to ensure citizen participation, as decentralization and devolution reforms have not been rendered fruitful. In addition to this, the growing thrust on economic growth and income generation activities particularly for the poor and marginalized communities in order to earn a living and surviving in cities has further kept them away from engaging with governance institutions, with regard to poor provisioning of basic services, as they have not been able to see any quick tangible results. Thus it can be seen that the citizen-state relationships in the cities are highly contested and there is a need to work towards strengthening the same.

Despite the current hurdles associated with participation, there has been a remarkable shift in the way the perception of communities and governments towards civic participation and engagement has transformed over the past couple of decades (Green, 2008). There are numerous situations where joint initiatives by citizens and concerned government institutions have been successful in bringing about anticipated changes and strengthen the grounds for democratic governance. However, the extent to which citizens have been able to participate and authorities been able to encourage and appreciate this participation has been quite varied across countries and through time. There are variations on account of the different socio-economic and political realities as well as the legal and structural norms/systems that a particular country adheres to. In addition to

this, trends in civic participation also reflect towards a history or culture in which the nature of state-citizen relationship comes to light, which many times overrides the established structural and legal mechanisms for participation (Green, 2008).

3. INSTITUTIONAL FRAMEWORKS FOR PROMOTING CITIZEN PARTICIPATION IN URBAN GOVERNANCE

The 73rd and the 74th Constitutional Amendment Acts were passed in 1993 in India which were tremendous reforms that bestowed constitutional powers to institutions of local self-governance like panchayats and municipalities respectively and provided space for people's participation especially the lower rungs of the society. Along with the few key provisions, provision of around one-third reservation of seats for women and proportionate reservation for Schedule Castes and Scheduled Tribes, these amendments were an effort in making the marginalized citizens to participate in the governance, development, planning and decision making about budgetary allocations at the local level.

The 74th CAA was associated with urban areas and it advocated for setting up of ward committees having a population of more than 300,000 or more, consisting of one or more wards, through which citizens could participate. To further the promote citizen participation in urban governance at ward and neighborhood or area level, the Government in 2006 issued a model law, the Nagara Raj Bill (NRB) or Community Participation Law, which explicitly envisaged the constitution of ward committees for each ward of each municipality. It also comprised provisions with regard to the composition of ward committees, the representation of areas in Ward Committees, and some guidelines regarding its functioning. Additionally, the NRB proposed to constitute Area Sabhas in each ward, areas consisting of one or more polling booths, not exceeding five. It also included some provisions regarding the constitutions and functions of these Area Sabhas (Boer, 2011). In addition, the provisions for community participation fund (CPF) under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM), anticipated as a catalyst to drive community participation by creation of local assets (PRIA, 2010).

Despite the efforts by the government for the efficient participation and decentralization of governance, it has faced numerous obstacles due to the weak implementation of the legislations, policies, and programmes. In evaluating the performance of Indian democracy, which is often called a 'paradox', Dreze and Sen (2002) recommend drawing a distinction between democratic ideals, democratic institutions and democratic practices. They further opine that though democratic institutions in India have enjoyed popular support and performed well; it is the quality of democratic practice which needs radical enhancement (Sadashiva, 2011).

The implementation of the 74th CAA with respect to the constitution of Ward Committees has been poor and at a sluggish rate. Studies show that initially only a limited number of states

adopted legislation providing for Wards Committees, and that too only half-heartedly. States were reluctant to empower local urban bodies and also to make them actual centers of self-government, which the amendment initially aimed for. Existing local power relations and conflicting vested interests prevailed in most states and acted as a barrier for participation and engagement, along with other causes. Delhi's case study suggests that local socio-political environment did not foster actual participation, especially when it came to the participation of women, poor and other marginalized sections of the communities. In addition to this, the awareness, faith and expectations of citizens appeared to be too low and capacities had to be built through regular mobilization efforts. As far as the implementation of the NRB is concerned, again Delhi example clearly shows that it is so slender. Although the NRB explicitly entitles residents in wards and areas to participate and contains some provisions with regard to the functions and functioning of the ward Committee and the conduct of Ward Committee meetings, suggests that it does not offer much guidance on the actual functioning of ward Committees themselves, nor does the NRB comprise any arrangements with regard to the functioning of Area Sabhas. Thus, although there are constitutional provisions and rules to promote people's participation, there are still gaps in their implementation and understanding.

4. PEOPLE'S PARTICIPATION: HOW REAL IS IT?

Having said that citizen participation is instrumental in achieving the tenets of democratic governance and deepening democratic practices, it is important to understand the pre-requisites, the enabling and the disabling factors for effective citizen participation (Howell et al., 2001). What are the conditions that facilitate the process of citizen participation, what encourages citizens to participate and raise their voice and what hinders the same? (Radcliffe, 2004). As mentioned above, some of it depends on the kind of spaces that are institutionally provided to citizens to participate as well as the motivation and interest among the citizens to engage actively for their own good (Radcliffe, 2004). It can be said that it takes much more than just the institutional framework and willingness of citizens to engage to truly foster participation in its true sense. Legal frameworks are extremely crucial but they need to be backed up by systems of incentives and sanctions (Mahadevia, 2008). In addition to this as Andrea Cornwall clearly mentions that if governments are serious about citizen participation, they need to open-up and be ready to set aside resources to establish and maintain spaces for participation.

It is also important to realize that participation cannot be limited within the boundaries of institutionalized spaces. In order to make participation happen outside those invited space, it needs to be brought into practice and understood beyond the notion of a right to that of a value intrinsic for deepening democracy (Radcliffe, 2004). Thus for citizens to engage constructively with the state and influence the process of decision making, participation needs to be institutionalized on both the sides of the governance cycle i.e. the state and the citizens (Sansom,

k., 2006). Institutionalization of participation by the state would include creating enabling structures, designs, mechanisms, rules and regulations etc. that promote and maintain participation. The recent examples of Forced evictions in Delhi, that were led by commonwealth Games clearly suggests that institutionalization of participation among the citizens on the other hand would encompass a radical shift in the way communities perceive themselves and their strength/capacity in engaging with the authorities. In Delhi's forced evictions people from various slums have been resettled into various places that are very far from main city. During this process they were never asked about their opinion and were just evicted forcefully. Note the statement of one of the family who have been evicted from Yamuna Pushta slum in Delhi in 2006 and now resettled in Bawana:

“Police came at Midnight around 2 A.M. on February 8th 2006 and warned us that we must leave this place by next morning. When I asked them about this forced evictions, they simply asked us to vacate the place. When I asked where we will be relocated after leaving this place, they replied (pointing at his religion): go to Pakistan, because you have a lot of land area there. We have one complaint to government that we have been living here from last 20 years and we have never asked about whether we wanted to leave this place or not? It clearly indicates that government is everything, we are always voiceless. Government comes to us when they need vote to win the elections, before asking for our vote government never asked our religion nor they told us to go to Pakistan to give the vote.”

Above narrative shows the current state of citizen participation and government role in urban governance, specifically in Delhi. In fact poor slum dwellers know their conditions and situations better than government and definitely sometimes, they always have the better solutions for their problems. Provided that communities possess critical indigenous knowledge and to a great extent also have need based practical solutions to most of their problems, institutionalizing participation by citizens in this context would enable the formulation of more people-centric plans and policies and ultimately result in achieving participatory governance.

For citizens to participate and voice their views it is essential that apart from having the basic awareness and understanding of the local issues/problems, they also have a collective/common understanding on the same. For example, in the context of urban governance, for citizens to participate effectively, it is very important that all of them collectively identify the most pressing issue/concern of their locality and then work towards bringing about a positive change. In doing so, another crucial set of elements is the knowledge on the part of citizens on how to organize and participate in a collective manner as well as be fully aware of the nuances and dynamics of that particular issues. For example, if the identified issue is poor quality of water, citizens need to know which local authority or private agency is responsible for the supply of water. They need to

know the formal procedure for grievance redressal and the official they need to be the most appropriate solutions or alternatives for the same. Thus participation is facilitated and is able to produce results when citizens have a collective understanding, analytical skills, the ability to organize into community based groups and also the capacity to negotiate and interact with relevant stakeholders. Many a times these above mentioned attributes have to be enhanced through capacity development exercises which coupled with the existing knowledge on local issues/context enable citizens to participate and engage more constructively.

The processes of citizen participation and engagement have to be strategically thought over, planned and implemented in any given context. When citizens' groups and civil society are mobilized and organized in a systemic way, they are in a better position to identify their issues and challenges and also assess gaps in the governance system especially with regard to service delivery. This results in an increased demand for a more accountable and transparent delivery of services at the local level, which in the context of urban governance are basic municipal services like water, sanitation, education health etc. When the demand for transparency and accountability increases, it improves the access of citizens to crucial information as municipal authorities start opening up and sharing relevant information demanded by the citizens. Gradually, this increased demand on the part of citizens for effective and accountable municipal governance leads to the adoption or improvement of Social Accountability Mechanism, like citizen charters, information disclosure and grievance redressal systems by the municipalities.

When municipalities adopt these mechanism, they are better equipped to deal with the increased demands of citizens and address the complaints/issues raised by them. The adoption of tools like citizen charters and information disclosure helps the municipalities in communicating with the citizens about their services and standards, and the grievance redressal system helps in resolving the problems faced by citizens. Thus, with the adoption of SAMs, the municipalities become more responsive towards the citizens' needs and are also able to improve their performance and service delivery. When these experience of the municipalities are shared widely with multiple stakeholders at different levels, i.e. the policy makers, concerned ministries and officials at the national level; other municipalities, practitioners, civil society at the sub-national level, they initiate deliberations around the institutional is action and adoption of these mechanisms. This creates a ground for influencing national and sub national governments to bring about necessary changes and modifications in policies so that practices at the local level could be improved.

5. EMPOWERING CIVIC ENGAGEMENT AT LOCAL LEVEL THROUGH NON-STATE ACTORS

Realizing the advantages of citizen participation and the positive changes that it has been able to generate, citizens, civil society and governments all across the world are engaging in meaningful

dialogue and interventions to promote this practice and eventually improve the standards of democratic governance. Especially in the context of urban governance, where civic engagement is more challenging than the rural areas, it has been found that increasing number of initiatives are being implemented to promote greater interface and communication between the citizens and the authorities in order to bridge the gap between them.

Citizen participation in urban areas, be it in small towns or metropolitan cities, is more challenging and difficult to achieve due to a number of reasons. Firstly, as most of the urban poor, whose participation matters most, are the ones who have migrated from villages and rural areas, in search of better livelihood opportunities, education etc. They find it difficult to come together and participate collectively on various occasions on account of their heterogeneous characteristics. For most of them, it is not easy to relate to their other counterparts despite the fact that they suffer from the same challenges and problems. Also, participation in cities is tough as there is a lack of interest and therefore weak agency, on the part of citizens to engage with governance institutions. Secondly, as cities are increasingly becoming centres of financial and fiscal growth as well as hubs of commercial activities, more and more citizens are inclined towards economic activities and making a living, where it becomes a challenges to engage them in development related activities. Note the statement of the one of the family in Bawana (resettled colony in periphery of Delhi) on their water availability:

“Initially in 2006 when we first arrived here, we could only get water from Delhi Jal Board water tanker. Even that tanker comes sometimes only three days a week. We have no other options of water availably except the canal water, which even flows today in our near-by area. Many children fell into that canal and died while fetching the water from canal. We never realized that this is basic right to get water supply so we never tried to mobilize. It was once when Sajaha Manch, (civil society organization active in many resettled colonies in Delhi) came here and mobilize us for our basic rights. It was then only when we learned how to get mobilized for our basic rights and fight for them. In real life that was the beginning when we realize that we can unite together for our ‘Rights to the city’ and can also achieve them if we can get the support from civil society organizations like Sajha manch”.

See the another statement of the people from Bhalaswa JJ colony, Delhi:

“Initially when we arrived here in year 2000 we were provided with no basic amenities like water, sanitation, electricity, education, road. For first few weeks there is no electricity in this area and whole area was filled with water. No hospital, no school, no road and no employment were available. We have to go to

toilet in open and have to depend on water from Delhi Jal Board tanker. Even that Delhi Jal Board tanker comes only once in week and for the rest of the days we have to go to 2 kilometer to get water. Initially we have no hope from government or any other organization of getting these basic facilities. It was the Bhalaswa Lok shakti Manch when we got to know about our 'rights to the city'. This Bhalaswa Lok shakti manch started mobilizing us, making us aware about our basic rights and started conducting meetings and Sabhas. This is how we started uniting and fighting for our rights."

Participation is a central pillar of any community driven development approach. The participatory process gives communities the opportunity to analyse and discuss their local situation in systematic fashion, identify community needs and implement action plans. The participatory process is inclusive of all the different social, ethnic groups within a given community. It provides the space for the heterogeneity of the community to be exposed and thus would lead to identification of community needs and priorities that are reflective of all the different social groups involved. For participation to take place and show its results, the community needs to be well mobilized and aware of their roles and responsibilities as potential change makers.

In order to enable citizens to participate and effectively articulate the emerging issues of their communities, it is important that their capacities are built and they have the skills to interact and negotiate with the concerned authorities. Provided that they are well-equipped with the local realities and also certain immediate need-based solutions, what most citizens especially the poor and marginalized require is the capacity to fruitfully engage with the authorities. For example, In Bhalaswa resettled colony Bhalaswa Lok Shakti Manch makes the citizen aware about how to write complained and letter to government officials about their problems related to basic amenities, how to get the information by filling RTI (Right to Information). The leader of Bhalaswa Lok Shakti Manch stated that:

"Initially Blalaswa Lok Shakti Manch was making the people aware about their basic rights and mobilizing them for fighting against the injustice done by the government. Initially Manch used to go to file RTI, write letters to government officials regarding the basic amenities problems like water, sanitation, electricity, education, road, hospital etc. It was the first stage when we mobile people and unite them for their cause. Now, Manch entered into second stage where our focus is on capacity building and skill enhancement of communities. In this stage we are training the people about how to verify online and offline various government related scheme and program, their implementation strategy and funding aspects.

Now people are getting aware about the government's role in development and communities 'rights to the city'".

Another way of enhancing citizen participation and creating a platform for citizens to come together and discuss critical issues was through the formation and strengthening of Neighborhood Committees. These Neighborhood Committees were formed with the objective that they would be capacitated to monitor, assess and analyse municipal services and engage with the municipality to further negotiate and establish services and engage with the municipality to further negotiate and establish service standards/benchmarks. One of the other aims of forming these committees was to ensure that citizens of the particular area get mobilized and join hands to raise their voice collectively on issues of common concern and act as a pressure group or community watchdog in effective delivery of services.

6. CONCLUSION

Awareness should be made and expectations of the citizens must be met, these aspects are very vital and crucial in empowering them. The local socio-economic and political realities that are highly different across the country must be taken into account while making the policies and care should be taken that each locality should have the policy that caters its needs because a universal policy would not be apt for the entire nation. Communities must be made aware of their powers and their roles for the better localities, when communities know their rights and roles it often yields better results with greater developmental outcomes. Community mobilization must be done and the policies must be designed that promotes more of participatory citizenship and more of financial support. It is also vital that dialogues with all the stakeholders, especially the government related departments and ministries, citizens and others which will help in making better decisions.

Balance must be ensured by giving emphasis to both the demand and the supply side. Most Non- Governmental Organization interventions are biased towards the demand side i.e. mobilizing and encouraging citizens to participate, which is extremely vital. However, what also need to be strengthened are the mechanisms and systems for facilitating citizen participation, which can be modified or created by influencing policies and legislations at the national level. In order to see some changes in practices at the level of local governance institutions, it is essential to engage with district, state/provincial and national level governance institutions as the authority to take decisions and bring forth policy based changes/modification which is still in the hands of state and national governments. Also, if certain new practices/mechanisms have to be institutionalized widely in the long run, for a set of governance institutions at the local level (for example if social accountability mechanism like CRCs, CCs, PGRS and information Disclosure etc. are to be institutionalised for municipal authorities and private service providing

agencies) it is more effective if the respective central government authority or ministry is approached and engaged since the beginning. The role of NGOs is very critical in promoting citizen participation and motivating communities to engage with the state. In most cases it is observed that the dissatisfaction that citizens have is due to the gaps in service delivery and other systemic limitations often leads to a sense of disdain amongst the citizens because of which they do not participate pro-actively in governance issues.

REFERENCES

- Boer, Lieuwede., 2011, 'Mending the Wheel of Power: How to promote Citizen Participation and Engagement in urban Governance at Ward and neighbourhood Level? Unpublished paper.
- Carr,D.L., and Norman S. Emma, 2008: Global civil society? The Johannesburg World Summit on Sustainable Development, *Geoforum* 39 (2008) 358-371.
- Gaventa, G., 2006, 'Perspectives on participation and Citizenship', in Mohanty, R. and tendon, R. Eds, *participatory Citizenship: Identity, Exclusion, Inclusion*, Sage, New Delhi.
- Green D. (2008). *From Poverty to Power: How active citizens and effective States can change the world*. Oxfam International.
- Howell, J., Pearce, J.,2001. *Society and Development: A Critical Exploration*. Lynne Rienner Publisher, Boulder.
- MacLeod G. and Godwin, M., 1999: Space, scale and state strategy: Rethinking urban and regional governance. *Progress in Human Geography* 23: 503-527.
- Mahadevia D. 2008. *Inside Transforming Urban Asia: Processes, Politics and Public Actions*. *Concept*, 2008.
- Mcllwaine, C., 1998. Civil society and development geography. *Progress in Human Geography*, 22 (3), 415-424.
- Mohan, G.,2002. The disappointments of civil society: the politics of NGO intervention in northern Ghana. *Political Geography*, 21 (1), 125-154.
- Mohan, G. and Stokke, K., 2000. Participatory development and empowerment : the dangers of localism. *Third World Quarterly*,21 (2), 247-268.
- PRIA, 2010, *Spaces for People's Participation: Case of Area Sabhas in Indian Cities*, Occasional paper Series, No. 11, New Delhi.

- Radcliffe, S.A., 2004. Geography of development: development, civil society and inequality- Social capital is (almost) dead? *Progress in Human Geography*, 28 (4), 517-527.
- Sansom, k., 2006. Government engagement with non-state providers of water and sanitation services. *Public administration and Development*,26(3),207-217.
- Taylor,R. (ED), 2004. *Creating a Better World: Interpreting Global Civil Society*. Kumarian Press, Bloomfield, CT.
- UN Habitat, 2012, *State of the world Cities*, 2012/13.
- World Bank, 2004, *Cambodia at the Crossroads: Strengthening Accountability to Reduce Poverty*.